

**City of Miami Beach - City Commission Meeting
Commission Chambers, 3rd Floor, City Hall
1700 Convention Center Drive
September 11, 2002**

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Mayor David Dermer
Vice-Mayor Richard L. Steinberg
Commissioner Matti Herrera Bower
Commissioner Simon Cruz
Commissioner Luis R. Garcia, Jr.
Commissioner Saul Gross
Commissioner Jose Smith

City Manager Jorge M. Gonzalez
City Attorney Murray H. Dubbin
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

SUPPLEMENTAL MATERIAL: R5D, R9F, AND R9G

PA1 Cert. of Apprec./B. Sanchez, Educating Seniors in the Prevention of Crime & Abuse. (Garcia)
PA2 Cert. of Apprec./Erin Cohen, Work & Ideas on Recycling Program for CMB. (Gross)
PA3 Proclamation Honoring "Miami Beach Water Polo Club Day." (Smith)
PA4 Plaque & Cert. of Apprec./M. Muley & M. Pena, Saving (3) Lives. (Steinberg/Smith)
PA5 Certs. of Apprec./B. Thorpe, G. Barreiro, N. Chapman & R. Gibson, Battling Blaze. (Dermer)
PA6 Certs. of Apprec./E. Yuhr, N. Gonzalez & J. Richardson, Participating in "Sandblast 2002." (Dermer)
PA7 Certs. of Apprec./Team Miami Beach, Winning (6) Medals at JCC Maccabi Games. (Steinberg)
PA8 **New Item:** Presentation by Orange Bowl Committee to Mayor/Commission, Event Funding. (Dermer)

C2A Issue P.O., Purchase Various Vehicles, \$210,437.35.
C2B Issue P.O., Purchase (1) 2002 John Deere Backhoe Loader, \$54,060.
C2C Issue P.O., Purchase Various Service Trucks, \$268,583.25.
C2D Issue P.O., Purchase Various Service Trucks, \$150,992.
C2E **S-BA 43-01/02**, Color Copier for Central Services & Citywide Digital Copiers.

C4A Ref. Neighborhoods Committee - Noise Ordinance Issues/Biscayne Point Residents. (Smith)
C4B Ref. Finance & Citywide Projects Committee - Potamkin Site, Alton Road & 5th Street.
C4C Ref. Community Affairs Committee - Disc. re: Review of City Board & Committees.
C4D Ref. Neighborhoods Comm. - Disc. Creation of Code Review Ad Hoc Committee. (Steinberg)

C6A Report: Finance & Citywide Projects Committee Meeting of July 25, 2002.
C6B Report: Community Affairs Committee Meeting of July 26, 2002.
C6C Report: Neighborhoods Committee Meeting of July 30, 2002.
C6D Report: G.O. Bond Oversight Committee Meeting of August 5, 2002.
C6E Report: Community Affairs Committee Meeting of August 13, 2002.

C7A Submit Grant Applications, Fla. Dept of State & MBVCA Tourism Advancement Program.
C7B Set Public Hearing, Proposed Uses of Local Law Enforcement Block Grant Funds.
C7C Set Public Hearing, Raise Franchise Fee for Waste Removal from 12% to 14%.
C7D Execute Amendment No. 1 w/ EDAW, Design of Flamingo/Lummus ROW Improvement Project.
C7E Authorize Amendment No. 2 w/ EDAW, RDA - Funded Improvements.
C7F Appropriate Mid-Beach Quality of Life Funds, Scott Rakow Youth Center Project.
C7G Award Contract to Language Speak, Inc. for Simultaneous Spanish Interpreters.
C7H Authorize Placement of (50) Banners, NASCAR Championship Weekend, Nov. 1-19, 2002.
C7I Renewal of Lease Agreement/Approve 3rd Amendment, 1701 Meridian Avenue.
C7J Approve 1st Amendment to Lease Agreement, 1701 Meridian Avenue.
C7K Waive Formal Bidding/Authorize Increase to SO, Permits Plus System/Handheld Project. **5/7**
C7L Authorize Donation of (1) Used Fire Rescue Vehicle to Our Sister City Ica, Peru.
C7M Reject Proposals, Conduct Pre-Employment Background Investigations.
C7N Retroactively Approve Amendment to 1-Yr Action Plan for FY 00/01 & 01/02 CDBG Funds.
C7O Set Public Hearing, Consider Comprehensive Plan Amendment to Part II, Year 2000.
C7P Grant Easement to FPL, Underground Facilities & Transformer Vault, 1685 Michigan Avenue.

REGULAR AGENDA

R2A BA 32-00/01, Supply & Installation of (4) Cooling Towers at MBCC, \$947,000.

R5A **10:30 a.m. 1st Rdg**, Revisions to Parking Lots or Regulations on Certain Lots (Ocean Drive). **5/7**
R5B **5:05 p.m. 2nd Rdg, Open/Cont.**, Prohibit Live-Aboard Vessels in Single-Family District.
R5C **1st Rdg**, Amend Charter, City's Contribution to the Health Plan.
R5D **1st Rdg**, Amend Code, Raise Fee Schedule for Collection/Disposal of Garbage. **SM**
R5E **1st Rdg**, Provide Maximum Total Fine for Single-Family Homes/Commercial Properties.
R5F **1st Rdg**, Amend Provisions-Normandy Shores Local Gov't Neighborhood Improvement District.

R6A Verbal Report: Land Use & Development Committee Meeting of September 9, 2002.

R7A1 **5:01 p.m. 1st Rdg**, Adopt Ad Valorem Millage Rate for FY 2002/03.
R7A2 **5:01 p.m. 1st Rdg**, Adopt FY 2002/03 Budgets, General/Enterprise & Internal Service Funds.
R7B Set Operating Millage Rate, Normandy Shores Neighborhood Improvement District.
R7C **3:00 p.m.** Award Contract to Tran Construction, Inc., Bayshore Golf Course Clubhouse.
R7D Approve Amendments to 1998 Concept Plan for SSDI North.
R7E **11:00 a.m.** Set Public Hearing, Consider Amendments to RPS-4 Development Regulations.

R9A **2:30 p.m.** Board and Committee Appointments.
R9A1 Disc. Nominate Michael C. Gongora to Design Review Board. (Garcia)
R9B1 **1:30 p.m.** Dr. Stanley Sutnick Citizen's Forum.
R9B2 **5:30 p.m.** Dr. Stanley Sutnick Citizen's Forum.
R9C Disc. Boat Anchorage in Miami Beach Waterways. (Steinberg)
R9D **4:55 p.m.** Disc. Hours of Oper./Commercial Establish. Adjacent to Residential Neigh. (Cruz)
R9E **3:30 p.m.** Disc. Council Tower North Parking Lot. (Cruz)
R9F Disc. Reso re: Oppose Reduction in Funding For Beach Maintenance. (Dermer) **SM**
R9G Disc. Reso re: Oppose Increase in County's Operating Millage. (Dermer) **SM**

R10A **Noon Break**, Executive Session: PNM Corp., Vs. City of Miami Beach.

REPORTS AND INFORMATIONAL ITEMS

- A City Attorney's Status Report.
- B Parking Status Report.
- C Status Report on Fire Station No. 2.
- D Status Report on Fire Station No. 4.
- E Report on Existing Contracts for Renewal or Extensions Exceeding \$25,000.
- F Report on Status of Expansion & Renovation of the Bass Museum.
- G Status Report on Dialogue with RDP Royal Palm Crowne Plaza.

REDEVELOPMENT AGENCY ITEMS - 10:00 A.M.

- 2A Report of Itemized Revenues/Expenditures of RDA for July 2002.
- 2B Report on Parking Operations for July 2002, Anchor Shops & Parking.

Meeting called to order at 9:12:20 a.m.

Mayor Dermer stated that he was approached as to whether it would be appropriate to hold a City Commission meeting on September 11, 2002. It was concluded that it is appropriate to have a meeting even though other municipalities are not. He stated that the act of September 11 and all other terrorists' acts are intended to instilled fear in the people. By holding the Commission Meeting and having this ceremony today, the City of Miami Beach is showing the world that we will never succumb to fear and that democracy continues.

Special September 11th Ceremony

1. Inspirational Messages given by Monsignor John Vaughn, St. Patrick's Catholic Church, Rabbi Phineas Weberman, OHEV Shalom Congregation, and Dr. Annette Jones, St. John's United Methodist Church.
2. Miami Beach Police and Fire Department- Honor Guard.
3. Pledge of Allegiance - Chief Donald De Lucca, Miami Beach Police Department and Chief Floyd Jordan, Miami Beach Fire Department.
4. Star Spangle Banner sung by Ms. Maryel Epps.
5. New World Symphony String Quartet played.
6. "Participate Miami Beach." September 11-17, 2002. Civic Participation Week by Jorge M. Gonzalez, City Manager.
7. "Libertad por siempre" (Freedom Stands) sung by Stephanie.
8. Poem by Lauren Towers.

9:43:41 a.m.

Jorge Gonzalez, City Manager, stated that after September 11, last year, the City moved immediately and aggressively to address the issues and events that took place afterwards. He commented on two "good news" items and it is fitting to comment on them today:

1) He was in Washington D.C. last weekend where the City was honored by being the Savvy Award winners by the Communications and Marketing Association for the public sector in the country regarding the N'SYNC special event that was held in November 2001 (N'SYNC and Friends concert). He announced that the City of Miami Beach was recognized as recipient of this first class award. The City should be very proud of the men and women who participated in this event at both levels, the employees and the citizens of Miami Beach. He stated that the following comments were made by the judges: 1) "a lot of thought and labor went into this mega event"; 2) "what great collaboration of community partners"; 3) "great public relations"; 4) "great fund raising effort which gave a much needed boost to the struggling economy, and a definite feel good event." He congratulated and thanked the staff that participated in this event.

2) The second good news item is spectacular for the City of Miami Beach. The U.S. Senate designated September 11 through September 17 as National Civic Participation Week. As part of this week, the City of Miami Beach particularly, the Neighborhood Services Department, developed a series of programs dedicated to honor National Civic Participation Week. "Participate America" is a non-for-profit national organization in Washington D.C. whose mission is to strengthen American democracy by organizing and coordinating activities that showcase civic participation during this National Civic Participation Week. This was created by the Senate to honor those who lost their lives on September 11. The City of Miami Beach's program encourages us to volunteer, contribute, communicate, and to vote. Today we have one element of our program titled "I signed the Constitution." We are asking the Mayor and City Commission to sign this symbolic Constitution and then it will travel to the schools where the students will also sign it and symbolically pledge their allegiance and support to democracy. We are also having a volunteer and clean up efforts being promoted throughout the City. **The organization "Participate America" has chosen Miami Beach as the only local government in America to receive the President's Award for our efforts in this regard this week.**

Jorge Gonzalez, City Manager, thanked the Neighborhood Services Department, in particular, Vivian Guzman, Director, Max Sklar, Lynn Bernstein, Maria Ruiz, Caroline Defreze, Edward Barbeiro and all staff that worked on this effort. Once again the City of Miami Beach has demonstrated that Miami Beach does care and does participate.

PA - Presentations and Awards

- PA1 Certificate Of Appreciation To Be Presented To Barbara Sanchez, Miami Beach Police Department, For Her Efforts And Dedication In Ensuring That Our Seniors Are Educated In Prevention Of Crime And Abuse.

(Requested By Commissioner Luis R. Garcia, Jr.)
(Deferred From July 31, 2002)

ACTION: Certificate presented.

- PA2 Certificate Of Appreciation To Be Presented To Erin Cohen, For Her Work And Ideas On A Recycling Program For The City Of Miami Beach.

(Requested By Commissioner Saul Gross)

ACTION: Certificate presented.

Erin Cohen thanked everyone that helped and believed in her project.

Jorge Gonzalez, City Manager, announced that Al Zamora has been promoted to Director of the Sanitation Division.

- PA3 Proclamation To Be Presented Honoring "Miami Beach Water Polo Club Day."

(Requested by Commissioner Jose Smith)
(Deferred From July 10, 2002)

ACTION: Proclamation presented.

- PA4 A Plaque To Be Presented To Detective Michael Muley For Saving Three Lives And A Certificate Of Appreciation Presented To Police Officer Trainee Mario Pena, For Assisting Detective Muley.

(Requested By Vice-Mayor Richard L. Steinberg And Commissioner Jose Smith)

ACTION: Plaque and certificate presented.

- PA5 Certificates Of Appreciation To Be Presented To Brian Thorpe, George Barreiro, Neal Chapman And Robert Gibson, From Miami Beach Fire Department, For Joining The Palm Beach Firefighters In Battling A Blaze In Hunter's Creek.

(Requested By Mayor David Dermer)

ACTION: Certificates presented.

- PA6 Certificates Of Appreciation To Be Presented To Eric Yuhr, Nelson Gonzalez And Jack Richardson, For Their Participation During Mayor Dermer's "Sandblast 2002."
(Requested By Mayor David Dermer)

ACTION: Certificates presented.

- PA7 Certificates Of Appreciation To Be Presented To Team Miami Beach, For Returning From The 2002 J.C.C. Maccabi Games With Six Medals.
(Requested By Vice-Mayor Richard L. Steinberg)

ACTION: Certificates presented.

10:14:22 a.m.

NEW ITEM:

- PA8 Presentation by the Orange Bowl Committee to the Mayor and Commission.

ACTION: Presentation made.

Michael Kosnitzky, Officer and Director of the Orange Bowl Committee stated that the fact that we are here today engaging in acts of government is a tribute to our American spirit and to this community and we thank you all for that. He stated that the Orange Bowl Committee wants to thank the City of Miami Beach Commission for their vision, foresight and support. The tragic events of September 11 caused real havoc in our tourism industry. Fortunately every year the committee brings the Orange Bowl games and festivities here. The Orange Bowl Committee brought over 30,000 people from Maryland this year and was directly responsible for filling over 3,000 rooms at various hotels in the area. Of course our restaurants and shops also benefited. He stated that it is your vision and foresight in supporting the Orange Bowl through the years the reason they are paying tribute today. The Orange Bowl Committee gives you these plaques honoring you as well as commemorating our last Orange Bowl game. We want to thank you all and let you know that we are going to continue our good work and partnership.

9:58:07 a.m.

NEW ITEM:

- PA9 Plaque Presented to the Police and the Fire Chiefs by Vice Commander K. C. Chu from Miami Beach American Legion Post 85.

ACTION: Plaques presented to Police Chief De Lucca and Fire Chief Jordan.

10:00:23 a.m.

NEW ITEM:

- PA10 A Plaque, a Replica of the 2001 Stamp, Presented by the Postmaster General of Miami Beach to the City of Miami Beach.

ACTION: Plaque presented to Mayor Dermer and Police Chief De Lucca and Fire Chief Jordan by Yvonne Gonzalez, Postmaster General for Miami Beach.

CONSENT AGENDA

ACTION: Motion made by Commissioner Smith to approve the Consent Agenda; seconded by Commissioner Bower; Voice vote: 7-0.

C2 - Competitive Bid Reports

C2A Request For Approval To Issue Purchase Orders Totaling \$210,437.35, Pursuant To State Of Florida Contract No. 01-09-0905, To The Following Vendors: (1) Duval Ford, For The Purchase Of Two (2) 2002 Ford F-250 4x2 Utility Body Pick Up Trucks In The Amount \$47,474.10; (2) Garber Chevrolet, For The Purchase Of One (1) 2003 Chevrolet Cavalier And One (1) 2002 Chevrolet Astro Cargo Van In The Amount Of \$32,676.00; (3) Orville Beckford Ford, For The Purchase Of Two (2) 2003 Ford F-150 4x2 Pick Up Trucks With Engine Upgrade, Two (2) 2003 Ford F-150 4x2 Pick Up Trucks And One (1) 2002 Ford Explorer 4x4 In The Amount Of \$92,321.25; And (4) World Ford, For The Purchase Of Two (2) Ford E-250 Econoline Cargo Vans In The Amount Of \$37,966.00.

(Fleet Management)

ACTION: Award approved. Gus Lopez to issue Purchase Order. Drew Terpak to handle.

C2B Request For Approval To Issue A Purchase Order To Nortrax Equipment Co. In The Amount Of \$54,060, Pursuant To General Services Administration Contract No. GS-30F-1021D, For The Purchase Of One (1) 2002 John Deere 410G Backhoe Loader.

(Fleet Management)

ACTION: Award approved. Gus Lopez to issue Purchase Order. Drew Terpak to handle.

C2C Request For Approval To Issue Purchase Orders Totaling \$268,583.25, Pursuant To State Of Florida Contract No. 070-001-02-1 To Atlantic Truck Center For The Purchase Of One (1) 2003 Ford F-550 Mobile Service Body Truck, One (1) 2002 Sterling M7500 Truck With 14 Ft. Chipper Body, One (1) 2002 Sterling M7500 Truck With 12 Ft. Trash Dump Body, And Two (2) 2002 Sterling M7500 Trucks With 16 Ft. Flatbed Dump Body.

(Fleet Management)

ACTION: Award approved. Gus Lopez to issue Purchase Order. Drew Terpak to handle.

C2D Request For Approval To Issue A Purchase Order To Atlantic Truck Center In The Amount Of \$150,992.00, Pursuant To Miami-Dade County Bid No. 5204-0/02, For The Purchase Of Two (2) 2003 Ford F-450 Trucks With 12 Ft. Landscape Body, One (1) 2003 Ford F-250 4x2 Pick Up Truck With Utility Body, One (1) 2003 Ford F-250 4x4 Pick Up Truck With Extended Cab, And One (1) 2003 Ford F-250 4x2 Utility Body With Canopy.

(Fleet Management)

ACTION: Award approved. Gus Lopez to issue Purchase Order. Drew Terpak to handle.

10:35:10 a.m.

C2E Request For Approval To Award Contracts To The Lowest And Best Bidders As Follows: 1) U.S. Imaging Solutions, For The Delivery, Integration, Maintenance And Servicing Of One High Volume Production System And One Production Color Copier For Central Services; And 2) Toshiba Business Solutions Of Florida, For The Delivery, Integration, Maintenance And Servicing Of 65 City-Wide Digital Copiers, Pursuant To Bid No. 43-01/02.

(Procurement)

ACTION: Item separated for discussion by the Jorge Gonzalez, City Manager. Discussion held.

Award approved as recommended by the Administration and waiving Toshiba's minor variance requirement of 99 account codes instead of the minimum of 100. Motion made by Commissioner Gross; seconded by Commissioner Smith; Opposed: Commissioners Bower and Garcia; Voice vote: 5-2. Gus Lopez to issue Purchase Order. Gus Lopez to handle the citywide digital copiers installation. R. Parcher to handle the Central Services High Volume Production System And Color Copier.

Jorge Gonzalez, City Manager, stated that a minor waiver by the City Commission is needed for the Toshiba bid. Toshiba bid citywide digital copiers that can process up to 99 individual account codes. The bid required a minimum of 100 account codes. Toshiba's bid price is \$30,000 lower and the City can take advantage of the lower cost if the City Commission approves the Administration recommendation with the minor waiver.

Motion made by Commissioner Bower; seconded by Vice-Mayor Steinberg; discussion continued.

Mr. Charlie Alvarez from U.S. Imaging Solutions spoke.

Commissioner Bower withdrew her motion.

Mr. Keith Lewis from Ikon Office Solutions spoke.

Mayor Dermer stated that the rules of protest should be tighten so that bid protests can be presented to the Mayor and Commissioners during Agenda Review with the City Manager. **Gus Lopez to handle.**

Motion made by Commissioner Bower to defer the item to the next meeting; seconded by Commissioner Garcia; Voice vote: 2-5; For: Commissioners Bower and Garcia; Opposed: Mayor Dermer, Vice-Mayor Steinberg, Commissioners Cruz, Gross, and Smith.

Motion made by Commissioner Gross to accept the Administration's recommendation with the waiver; seconded by Commissioner Smith; Opposed: Commissioners Bower and Garcia; Voice vote: 5-2.

Handout or Reference Materials:

1. Letter from Charlie Alvarez, President, U.S. Imaging Solutions to Murray Dubbin, City Attorney, dated September 8, 2002 regarding Bid No. 43-01/02 (Citywide Digital Copier.)
2. Letter from Jorge Gonzalez, City Manager, to Mr. Charlie Alvarez, President of U.S. Imaging Solutions, dated September 10, 2002 regarding Bid No. 43-01/02.
3. Letter from, Jorge Gonzalez, City Manager, to Mr. Keith Lewis Production Systems Manager from Ikon Office Solutions, dated September 10, 2002 regarding Bid No. 43-01/02.
4. Booklet from U.S. Imaging Solutions containing: Summary Page, Invitation to Bid Public Notice, Price Proposal, Addendum No.1, Minimum Requirements and Bid Variance, in reference to Citywide Digital Copier regarding Bid No. 43-01/02.

C4 - Commission Committee Assignments

- C4A Referral To The Neighborhoods Committee - Noise Ordinance Issues Raised By Biscayne Point Residents.

(Requested By Commissioner Jose Smith)

ACTION: Item referred. Vivian Guzman to place on the Committee agenda. Al Childress to handle.

- C4B Referral To The Finance And Citywide Projects Committee Regarding The Potamkin Site At Alton Road And 5th Street.

(City Manager's Office)

ACTION: Item referred. Patricia Walker to place on Committee agenda. Jorge Gomez to handle.

11:20:07 a.m.

- C4C Referral To The Community Affairs Committee Regarding A Discussion Concerning A Review Of All City Boards And Committees In An Effort To Determine Their Necessity And Any Changes Required.

(City Manager's Office)

ACTION: Item separated for discussion by Commissioner Garcia. Item referred. Discussion held. Commissioner Bower stated that she and Mr. Joe Fontana have been working together on this project. Commissioner Bower will sponsor the referral and subsequently to their meeting she will place the item on the committee agenda. Mayra Diaz Buttacavoli to place on the Committee agenda.

Mr. Joe Fontana spoke.

- C4D Referral To The Neighborhoods Committee - Discuss The Creation Of A City Code Review Ad Hoc Committee.

(Requested By Vice-Mayor Richard L. Steinberg)

ACTION: Item referred. Vivian Guzman to place on the Committee agenda. Vivian Guzman and Al Childress to handle.

C6 - Commission Committee Reports

C6A Report Of The Finance And Citywide Projects Committee Meeting Of July 25, 2002: **1)** To Consider Preliminary Terms As Set Forth In A Letter Of Intent Submitted By The New World Symphony Relative To Its Proposed Lease Of A Portion Of The 17th Street Surface Parking Lot, To Accommodate Its Expansion Requirements; **2)** Discussion Regarding Vending Machines Concession Agreement; **3)** Chamber Of Commerce Fair Share Task Force; **4)** State Statute On State Employees One Hour Per Week To Mentor; And **5)** Proposed Increase To City Fees For FY 2002/03.

ACTION: Written report submitted.

Item 1: Item deferred.

Item 2: The Committee moved the item to the full Commission, recommending the City renew the current vending machine concession agreement on a month to month basis, not to exceed six months and further instruct the Administration to review possible sponsorship opportunities for our vending operations, and where no sponsorship opportunity exists, to allow the City Manager and his staff the ability to negotiate with potential suppliers for vending machine operations. **Robert Middaugh to handle.**

Item 3: The Committee moved the item to the full Commission, recommending the City place the recommendations of the Fair Share Task Force on the next City of Miami Beach State Legislative Agenda. **Kevin Crowder to handle.**

The Commission further motion for a resolution authorizing the City Manager to solicit and seek as much of the City's Fair Share as possible in the Miami-Dade County \$1.5 Billion General Obligation Bond. **Kevin Crowder to handle.**

Item 4: Item deferred.

Item 5: The Committee moved to the Commission the following actions:

1. A proposal to combine the "Certificate of Use and Fire Inspection Fee" with the "Occupational License" on a single form effective October 1, 2002.

2. A proposal to increase the following fees:

Certificate of Use and Occupational License fees

- a. 10% effective October 1, 2002
- b. 10% effective October 1, 2003
- c. by the annual Consumer Price Index (CPI) plus ½ of the CPI of Fiscal Year FY 2003 effective October 1, 2004
- d. by the annual CPI plus ½ of the CPI of FY 2003 effective October 1, 2005
- e. by the annual CPI each subsequent October 1st.

Fire Inspections fees

- a. 20% effective October 1, 2002
- b. by the annual CPI each subsequent October 1st.

Sidewalk Café Permits

- a. 25% from \$10.00/sf to \$12.50/sf effective October 1, 2002
- b. 25% from \$12.50/sf to \$15.00/sf effective October 1, 2003
- c. Administration to come back with a recommendation of an appropriate methodology to use for future increases.

Off Duty Police Administrative Charges

- a. 33% from \$3.00/hr to \$4.00/hr effective October 1, 2002
- b. by the annual CPI each subsequent October 1st.

Police Towing

- a. by 20% from \$20.00 to \$25.00 per incident effective October 1, 2002

b. by the annual CPI each subsequent October 1st.

3. Directed Administration to explore what other municipalities are charging for the preparation of Lien Letters.
4. Proposed to accept the requested Parks and Recreation Fees effective October 1, 2002.

C6B Report Of The Community Affairs Committee Meeting Of July 26, 2002: **1)** Discussion Regarding The Ordinance Implementing A Local Preference In The Award Of Contracts For Goods And Services To Miami Beach-Based Vendors, By Amending Chapter 2 Of The Code Of The City Of Miami Beach Entitled "Administration," By Amending Article VI Thereof Entitled "Procurement," By Amending Division 3 Entitled "Contract Procedures," And Division 4 Entitled "Purchases," By Amending Section 2-369, 2-370, And 2-395; **2)** Discussion On Proposed Resolution Supporting And Urging That Communication Be Established Between The City Of Miami Beach And Miami-Dade County; In Particular To Clarify And Perhaps Strengthen The Definition Of "Lobbyist" In Miami-Dade County Code (As Portion Of Said Code Applies To The City Of Miami Beach As Well); **3)** Discussion Regarding Proposed Ordinance Amending Miami Beach City Code Section 38-6 Entitled "Prohibited Campaign Contributions By Vendors" By Mandating That The City Publish Notice Requirements Of This Ordinance, Establishing Responsibility Of Candidates For Elected Office To Determine Status Of Potential Donor As Vendor, Clarifying And Creating Definitions, Creating Additional Waiver Provision When Termination Of Existing Contract Would Be Economically Adverse To City's Best Interests; **4)** Discussion Regarding Amending Cone Of Silence Ordinance; And **5)** Discussion On Draft Ordinance Amending Miami Beach City Code Chapter 2, Division 3 Thereof, Entitled "Lobbyists," By Creating Section 2-485.2 Entitled "Prohibited Campaign Contributions By Lobbyists On Procurement Issues."

ACTION: Written report submitted.

Item 1: Item deferred to the next meeting.

Item 2: Robert Meyers reported on a meeting held by the Miami-Dade County last week to discuss the definition of "Lobbyists." The County is considering exempting lawyers and other representatives appearing in quasi-judicial matters at a public meeting. Mr. Meyers clarified that the current definition of "lobbyist" allows a third party (lawyers and non-lawyers) to have discussions with a department director who has the ultimate decision on a matter as long as these individuals are registered as lobbyists. An example discussed was a contractor or lobbyist discussing a capital project with the Building Department Director. The County will also be considering removing the word "foreseeable" from the definition of "lobbyists." No action required.

Item 3: Item deferred to the next meeting.

Item 4: A motion was passed to amend City Code Section 2-486 (a)(1)(f). The amendment is to allow for administrative and procedural discussions between the City Manager and any member of the evaluation committee prior to the evaluation committee submitting a recommendation. Additionally, Commissioner Steinberg requested the City Manager to further submit language that would provide him with his request for allowing meetings with any member of any evaluation committee prior to the evaluation committee recommendation being submitted. The members of the Committee requested that the Ordinance be brought to the City Commission for first reading on September 11, 2002. **Gus Lopez to handle.**

Item 5: The Committee requested an amendment to be included that precludes solicitation of campaign contributions by lobbyists under Section 2-485.2(1)(b). Robert Meyers stated the intent of the Cone of Silence is to preclude lobbyist and vendors from having communication or influence over a bid award.

The Committee also requested that language be added regarding time periods relating to prohibiting campaign contributors from lobbying the City.

The Committee requested that the item be brought to the next Community Affairs Committee meeting with all requested changes for discussion and review. **Legal Department to handle. Mayra Diaz Buttacavoli to place on Committee Agenda.**

C6C Report Of The Neighborhoods Committee Meeting Of July 30, 2002: **1)** Discussion Regarding Panhandling In Miami Beach; **2)** Discussion Regarding The 63rd Street Flyover Construction Mitigation Of Traffic (MOT) Plan; **3)** Discussion Regarding Bayshore Golf Course Clubhouse And The Installation Of A Fence And Stash Site And Contractor; And **4)** Discussion Regarding Enforcement Of Maintenance Standards In The Swale Areas Within The City's Rights-Of-Way.

ACTION: Written report submitted.

Item 1: Item withdrawn at the request of Commissioner Steinberg and will be included in the agenda for the next scheduled Neighborhoods Committee Meeting. **Vivian Guzman to place on Committee Agenda.**

Item 2: Item withdrawn at the request of Commissioner Steinberg and will be included in the agenda for the next scheduled Neighborhoods Committee Meeting. **Vivian Guzman to place on Committee Agenda.**

Item 3: The Committee unanimously approved the item as follows: CIP will move forward with the fence and initiate the approval process with the Design Review Board and residents and the City will follow the current fence installation restrictions placed on La Gorce Golf Course. **Tim Hemstreet to handle.**

Item 4: The Committee unanimously approved the item as follows: The Administration will meet with neighbors and develop a policy for swale maintenance and return to the Neighborhoods Committee with the plan. The meetings will be scheduled and advertised by the Neighborhoods Services Department. **Fred Beckmann to handle. Vivian Guzman to place on Committee Agenda.**

- C6D Report Of The G.O. Bond Oversight Committee Meeting Of August 5, 2002: **1)** Project Status Report; **2)** Presentation Regarding ROW And Parks/Facilities Sequencing - Recommendation to Commission Regarding Sequencing Of G.O. Bond Funded Projects; **3)** Informational Items: a) Updated Calendar Of Scheduled Community Design Workshops; b) Rescheduling Of September Meeting; c) North Shore Neighborhood Community Design Workshop #2 Report; d) North Shore Open Space Phase II Construction Contract Award; e) Citywide Signage Plan Agreement With Society For Environmental Graphic Design (SEGD); And **4)** Change Order Report.

ACTION: Written report submitted.

Item 1: No action required.

Item 2: No action required.

Item 3: Informational items were provided to the Committee but not reviewed during the meeting.
No action required.

Item 4: No action required.

- C6E Report Of The Community Affairs Committee Meeting Of August 13, 2002: **1)** Discussion Regarding The Ordinance Implementing A Local Preference In The Award Of Contracts For Goods And Services To Miami Beach-Based Vendors, By Amending Chapter 2 Of The Code Of The City Of Miami Beach Entitled "Administration," By Amending Article VI Thereof Entitled "Procurement," By Amending Division 3 Entitled "Contract Procedures", And Division 4 Entitled "Purchases", By Amending Section 2-369, 2-370, And 2-395; **2)** Discussion Regarding Proposed Ordinance Amending Miami Beach City Code Section 38-6 Entitled "Prohibited Campaign Contributions By Vendors" By Mandating That The City Publish Notice Requirements Of This Ordinance, Establishing Responsibility Of Candidates For Elected Office To Determine Status Of Potential Donor As Vendor, Clarifying And Creating Definitions, Creating Additional Waiver Provision When Termination Of Existing Contract Would Be Economically Adverse To City's Best Interests; **3)** Discussion On Proposed Amendments To The Resolution Establishing The Audit Committee; And **4)** Commemorative Plaque For Angelo Dundee's 5th Street Boxing Gym/Home Of Muhammad Ali And Other World Champions.

ACTION: Written report submitted.

Item 1: Item deferred to the next meeting.

Item 2: Item deferred to the next meeting.

Item 3: Commissioner Cruz requested a survey of how The Audit Committee functions and whom they report to in other entities. Until further discussion, the Audit Committee should present a quarterly report to the Finance and Citywide Projects Committee. Jim Sutter to handle. **Patricia Walker to place on Committee Agenda.**

Item 4: The item was discussed but since the plaque is being placed on private property, it was referred back to the private property owner.

C7 - Resolutions

- C7A A Resolution Retroactively Authorizing The City Manager Or His Designee To Submit Grant Applications For The Following Funds: 1) Florida Department Of State, Challenge Grant Program Funds; And 2) Miami Beach Visitor And Convention Authority Tourism Advancement Program Funds; While Leveraging Previously Appropriated City Funds As Needed; Further Appropriating The Grants If Approved And Accepted By The City And Authorizing The Mayor And City Clerk To Execute All Necessary Documents Related To These Applications.

(Grants Management)

ACTION: Resolution No. 2002-24958 adopted. If awarded and accepted by the City, Patricia Walker to appropriate the funds. Mayra Buttacavoli to handle.

- C7B A Resolution Setting A Public Hearing For September 25, 2002, On The Proposed Uses Of The Local Law Enforcement Block Grant Funds.

(Grants Management)

ACTION: Resolution No. 2002-24959 adopted. Public hearing scheduled for September 25, 2002. R. Parcher to notice. Lilia Cardillo to place on the agenda. Mayra Buttacavoli to handle.

- C7C A Resolution Calling For A Public Hearing, Pursuant To Section 90-221 Of The Miami Beach City Code, To Consider Raising The Franchise Fee Paid To The City By Private Waste Contractors From The Current Fee Of Twelve Percent (12%) Of The Franchisee's Total Monthly Gross Receipts For Waste Removal In The City, To Fourteen Percent (14%) Of Said Receipts.

(Public Works)

ACTION: Resolution No. 2002-24960 adopted. Public hearing scheduled for October 23, 2002. R. Parcher to notice. Lilia Cardillo to place on the agenda. Fred Beckmann to handle.

City Clerk's Note: Pursuant to City Code Section 90-221, "... The City shall have the option of raising the franchise fee once yearly. Such raises shall not exceed two percent of the licensee's total monthly gross receipts yearly and shall be imposed only by resolution after a public hearing with 30 days prior notice to all franchise waste contractors."

11:24:29 a.m.

C7D A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 Of The City's Agreement With EDAW, Inc., For The Design Of The Flamingo/Lummus Neighborhood Right Of Way Improvement Project, By Increasing The Not To Exceed Fee By \$35,999, To Provide For Additional Services Required By The Addition To The Project Of Improvements To The Blocks Of Meridian And Euclid Avenues, Between 16th Street And Lincoln Lane South, Which Are Outside The Geographic Boundary Of The Original Scope Of Services; And Further Appropriating \$35,999 From General Obligation Bond Funds For Said Services.
(Capital Improvement Projects)

ACTION: Item C7D and C7E separated for discussion by Commissioner Garcia. Discussion held.

Resolution No. 2002-24961 adopted. Motion made by Commissioner Bower to approve C7D and C7E; seconded by Commissioner Smith; Voice vote: 7-0. Patricia Walker to appropriate the funds. Tim Hemstreet to handle.

Commissioner Garcia asked how much money is being spent on this project and to have it correlated to the progress on the project. He also requested a status report on what the original estimate for consultant fees were and how much is actually going to be spent. **Tim Hemstreet to handle.**

Commissioner Garcia also questioned why, because of the amount of money, these items were on the Consent Agenda.

Jorge Gonzalez, City Manager, stated that the original contract awarded to EDAW for the Flamingo/Lummus Neighborhood was \$1.84 million dollars. That is for nearly \$20 million dollars worth of work in that neighborhood. Subsequent to the initial project, two (2) separate additions have been added to the Flamingo/Lummus Neighborhood (\$4.5 million dollar project (see item C7E) and work in a separate area of Flamingo Neighborhood, which was not contemplated.)

Tim Hemstreet, Capital Improvement Program Director, stated that the contracts are not formula driven in terms of percentage of the work effort. The contracts are actually negotiated on the basis of how many hours it takes to do the work. The additional fee is due to approximately \$5 million dollars of additional work that has been added to the scope of work.

Commissioner Garcia stated that he is concerned that the fee amount is negotiated rather than a straight percentage.

Tim Hemstreet explained why it's to the City's advantage to negotiate the fee rather than a straight percentage.

Commissioner Garcia requested an account of the money that has been spent, the original budget, and the potential for future increases in scope. **Tim Hemstreet to handle.**

Commissioner Smith stated that he agrees with Commissioner Garcia; when the City awards \$300,000 to a vendor it should be in the Regular Agenda and more background should be provided on how the contract was negotiated.

Jorge Gonzalez, City Manager, stated that the threshold amount for putting items on the Consent Agenda is typically around \$500,000 to \$750,000 depending on the item.

11:24:29 a.m.

C7E A Resolution Approving And Authorizing Amendment No. 2 To The City's Agreement With EDAW, Inc., For The Design Of The Flamingo/Lummus Neighborhood Right Of Way Improvement Project, By Increasing The Not To Exceed Fee By An Amount Of \$278,806 To Provide For Additional Services Required By The Addition To The Project Of \$4,550,695 Of RDA-Funded Improvements.
(Capital Improvement Projects)

ACTION: Item separated for discussion by Commissioner Garcia. See discussion on C7D.

Resolution No. 2002-24962 adopted. Motion made by Commissioner Bower; seconded by Commissioner Smith; Voice vote: 7-0. Tim Hemstreet to handle.

- C7F A Resolution Appropriating Funding, In The Amount Of \$250,000, From Mid-Beach Quality Of Life Funds, To The Scott Rakow Youth Center Project, For Additional Change Orders Necessary To Complete The Project.

(Capital Improvement Projects)

ACTION: Resolution No. 2002-24963 adopted. Patricia Walker to appropriate the funds. Tim Hemstreet to handle.

- C7G A Resolution Awarding A Contract To The Firm Of Language Speak Inc., The Lowest And Best Bidder Pursuant To Invitation To Bid No. 42-01/02, In The Estimated Yearly Amount Of \$23,000 For Simultaneous Spanish Interpreters.

(City Clerk's Office)

ACTION: Resolution No. 2002-24964 adopted. R. Parcher to handle.

- C7H A Resolution Approving And Authorizing The Placement Of Fifty (50) Banners For The NASCAR Championship Weekend, To Be Held November 14-17, 2002, At The Homestead Miami Speedway, As Requested By The Applicant At The Following Locations: Ten (10) Light Poles On Washington Avenue, From Lincoln Road To 5th Street; Five (5) Light Poles On 17th Street, From Collins Avenue To Alton Road; Ten (10) Light Poles On The MacArthur Causeway, From The Coast Guard Station To Alton Road; Six (6) Light Poles On 5th Street, From Alton Road To Ocean Drive, Nine (9) Light Poles On Collins Avenue, From 5th Street To 18th Street; And Ten (10) Light Poles On Alton Road, From 5th Street To 17th Street; Said Banners To Be Affixed To Light Poles In The Public Right-Of-Way, Measuring 3 Feet X 7 Feet, And Having Copy And Design As Shown On The Attached Drawings; To Be Installed And Removed In Accordance With All Other Applicable City Requirements; The Administration Further Recommends That These Banners Be Installed No Earlier Than November 1, 2002, And Removed By November 19, 2002.

(Cultural Affairs & Tourism)

ACTION: Resolution No. 2002-24965 adopted. Tom Weschler to handle.

- C7I A Resolution Acknowledging Tenant's Exercise Of The Second Renewal Option In The Lease Agreement, Dated September 18, 1995, Between The City And South Beach Medical Group, P.A., Said Second Renewal Term Commencing On October 1, 2002, And Ending On September 30, 2005; Further Approving A Third Amendment To The Lease Agreement For The Lease Of Suite 402 And 403, Of The City-Owned Property Located At 1701 Meridian Avenue (A/K/A 777-17th Street), Miami Beach, Florida, By Adding Suite 401 To The Leased Premises, Resulting In An Increase Of 1,440 Square Feet Of Leased Space; And All Other Terms And Conditions Of The Lease Agreement Remaining In Full Force And Effect.

(Economic Development)

ACTION: Resolution No. 2002-24966 adopted. Joe Damien to handle.

- C7J A Resolution Approving A First Amendment To The Lease Agreement, Dated May 8, 2001, Between The City Of Miami Beach And RT Travel Of America, For The Lease Of Suite 202, Of The City-Owned Property Located At 1701 Meridian Avenue (A/K/A 777-17th Street), Miami Beach, Florida, By Reducing The Number Of Square Feet Being Leased From 872 Square Feet (As Reflected In The Lease Agreement), To 409 Square Feet; With All Other Terms And Conditions Remaining In Full Force And Effect.

(Economic Development)

ACTION: Resolution No. 2002-24967 adopted. Joe Damien to handle.

11:36:53 a.m.

- C7K A Resolution Waiving, By 5/7ths Vote, The Formal Bid Process, And Authorizing An Increase To The Existing Standing Order To Information Discovery Systems (IDS), In The Amount Of \$27,330, For Implementation Of The City Commission's Request To Combine The City Licenses, Certificates Of Use, And Fire Inspections, And To Provide Additional Modifications To The City-Wide Permits Plus System For The Handheld Project.

(Finance Department)

ACTION: Item separated for discussion by Commissioner Garcia. Discussion held. **Resolution No. 2002-24968 adopted.** Motion made by Commissioner Garcia; seconded by Commissioner Gross; Voice vote: 7-0. Patricia Walker to handle.

City Clerk's note: See item C6A - Finance and Citywide Projects Committee recommendation on this Agenda.

- C7L A Resolution Authorizing The Donation Of (1) Used 1995 Ford E-350 Fire Rescue Vehicle In "As Is" Condition To The Firefighters Of Our Sister City Ica, Peru.

(Fleet Management)

ACTION: Resolution No. 2002-24969 adopted. Drew Terpak to handle.

- C7M A Resolution Rejecting All Proposals Received, Pursuant To Request For Proposals (RFP) No. 56-00/01, To Conduct Pre-Employment Background Investigations For New Hires And Current Employees Who Are Transferring Or Promoting To New Classifications To Determine Their Eligibility.
(Human Resources)

ACTION: Resolution No. 200-24970 adopted. Gus Lopez to notify bidders. Human Resources Department to handle in-house.

Handout and reference material:

1. Letter requesting information on the rating process used to evaluate and conduct the rankings to Gus Lopez from Rene Larrieu from Larrieu & Associates Management Consultants dated 9/9/02.

- C7N A Resolution Retroactively Approving Substantive Amendments To The One-Year Action Plan For Federal Funds For Fiscal Years 2000/01 And 2001/02 By Reprogramming \$67,076 From FY 2000/01 Community Development Block Grant (CDBG) Administration Funds For The FY 2001/02 Planned Repayment Of Section 108 Loan Principal.
(Neighborhood Services)

ACTION: Resolution No. 2002-24971 adopted. Vivian Guzman to handle.

- C7O A Resolution Setting A Public Hearing To Consider An Amendment To Part II: Goals, Objectives And Policies Of The City Of Miami Beach Year 2000 Comprehensive Plan, As Amended, By Amending Policy 1.2 Of Objective 1: Land Development Regulations Of The Future Land Use Element; By Clarifying As "Other Uses" The Conditional Uses Which Are Required To Go Through A Public Hearing Process, And The Accessory Uses Which Are Required To Be Subordinate To The Main Use, As They May Be Permitted In Each Land Use Category; Directing Transmittals Of The Ordinance And All Applicable Documents To Affected Agencies.
(Planning Department)

ACTION: Resolution No. 2002-24972 adopted. Public hearing scheduled for September 25, 2002. R. Parcher to notice. Lilia Cardillo to place on the agenda. Jorge Gomez to handle.

- C7P A Resolution Authorizing The Mayor And City Clerk Commission To Grant The Attached Easement To Florida Power & Light Company (FP&L) For The Provision Of Underground Distribution Facilities And A Transformer Vault At The Lincoln, Located At 1685 Michigan Avenue, And Authorizing The Mayor And City Clerk To Execute And Record The Easement For The Required Underground Facilities And Transformer Vault.
(Public Works)

ACTION: Resolution No. 2002-24973 adopted. Fred Beckmann to handle.

End of Consent Agenda

REGULAR AGENDA**R2 - Competitive Bid Reports****2:58:40 p.m.**

- R2A Request For Approval To Award A Contract To Weatherrol Maintenance Corp., In The Amount Of \$947,000 Pursuant To Bid No. 32-00/01 For The Supply And Installation Of Four (4) Cooling Towers At The Miami Beach Convention Center.
(Convention Center)

ACTION: Award approved. Motion made by Commissioner Smith; seconded by Commissioner Bower; Voice vote: 6-0; Absent: Mayor Dermer. Gus Lopez to issue Purchase Order. Doug Tober to handle.

Commissioner Gross asked how the Administration deals with tie bids.

Jorge Gonzalez, City Manager, stated that in this case, the base bids were identical; however, Administration has funding to do the add/alternate, therefore you add the base bid and the add/alternate bid. If there is a tie bid by the top bidders, the first test, according to State procurement policy, is whether the bidder is certified with the State, that they are a drug free workplace. If the tied bidders are both certified by the State, then the City Manager or his designee, based on references and other information available, makes the determination.

Commissioner Gross stated that there should be information in the bid packages to tell bidders to get the drug free State certification. **Gus Lopez to handle.**

Handout and Reference Material:

1. Formal Letter of Protest to Mr. Gus Lopez from Ivonne Munne President of Carivon Construction regarding Bid No. 32-00/01
2. Letter from Jorge M. Gonzalez, City Manager, Dated September 9, 2002, to Ms. Ivonne Munne, President, Carivon Construction Co., RE: Bid Protest - Bid 32-01/02

R5 - Ordinances**11:42:52 a.m.**

R5A Revisions To The Parking Lots Or Regulations On Certain Lots (Ocean Drive)
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida, By Amending Chapter 142, "Zoning Districts And Regulations" Of The Code Of The City Of Miami Beach, Florida, By Amending Section 142-1107, "Parking Lots Or Garages On Certain Lots" By Providing That Vacant Lots Fronting Ocean Drive That Existed As Of January 1, 1999 May Be Used For Provisional Or Temporary Parking Lots As Provided For In Sections 130-70 And 130-71 Of The Miami Beach City Code; Providing For Repealer, Codification, Severability And Effective Date. **10:30 A.M. First Reading, Public Hearing.**

(Planning Department)
(Continued From May 29, 2002)

ACTION: Public Hearing Opened and Continued to the first meeting in March 2003. Motion made by Commissioner Bower to open and continue the public hearing to the first meeting in March 2003 at 10:30 a.m.; seconded by Commissioner Cruz; Voice vote: 6-1; Opposed: Vice-Mayor Steinberg. Lilia Cardillo to place on the Commission Agenda. Jorge Gomez to handle.

7:19:26 p.m.

R5B Proposed Amendment Prohibiting Live-Aboard Vessels In Single-Family Districts
An Ordinance Amending The Code Of The City Of Miami Beach By Amending Chapter 66, "Marine Structures, Facilities And Vehicles," Section 66-4 "Definitions," By Adding A Definition For Live-Aboard Vessels; And Amending Section 66-111 "Permission Required To Dock Or To Make Fast For Other Vessel," By Adding Language Limiting Live-Aboard Vessels In The RS Single-Family Residential Districts, As Specified In The Ordinance, And Requiring Conditional Use Approval For Crew Live-Aboards; Providing For Codification, Repealer, Severability And An Effective Date.
5:05 P.M. Second Reading, Public Hearing.

(Planning Department)
(First Reading On July 31, 2002)

ACTION: Public Hearing Opened and Continued to October 23, 2002 at 5:05 p.m. Motion made by Commissioner Smith; seconded by Commissioner Bower; Voice vote: 7-0. Lilia Cardillo to place on the Commission Agenda. Jorge Gomez to handle.

Handout or reference materials:

1. Notice of Ad in Miami Herald

1:34:08 p.m.

R5C An Ordinance Amending Chapter 78 Entitled "Personnel" By Amending Article II Entitled "Employees' Benefit Plan" By Amending Division 3 Thereof Entitled "Contributions" By Amending Section 78-81 Thereof Entitled "Group Health Insurance" And Section 78-82 Thereof Entitled "Health Maintenance Organization (HMO)" By Providing That The City's Contribution To The Health Plan For City Officers And Employees Shall Be Determined By The Amount Of Funds Available Each Year And Approved By The City Commission As Part Of The Annual City Budget; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading.**

(Human Resources)

ACTION: Ordinance approved on First Reading. Motion made by Commissioner Smith; seconded by Commissioner Bower; Ballot vote: 5-0; Absent: Commissioners Cruz and Garcia. Second Reading and Public Hearing scheduled for September 25, 2002. R. Parcher to notice. Lilia Cardillo to place on the Commission Agenda. T.C. Adderly to handle.

Mayor Dermer requested that the Administration explores the possibility of having a relationship with a local hospital who will provide health maintenance. Mayra Diaz Buttacavoli to handle.

1:40:26 p.m.

SUPPLEMENTAL MATERIAL

R5D An Ordinance Amending Miami Beach City Code, Chapter 90 Entitled "Solid Waste," By Amending Section 90-137(A), Entitled "Appendix A-Fee Schedule," By Raising The Fee Schedule For City Collections And Disposal Of Garbage And Trash At A Rate Equal Concomitant With The Rate Increase Assumed By The City Pursuant To Section 12.5 (Consumer Price Index) Of The Agreement Between The City Of Miami Beach And BFI Waste Systems Of North America; Providing For Compensation Paid From The City To The Contractor Based On The Increase Or Decrease Of The Consumer Price Index, Effective October 1, 2002; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading.**

(Public Works)

(Ordinance To Be Submitted)

ACTION: Ordinance approved on First Reading. Motion made by Commissioner Smith; seconded by Vice-Mayor Steinberg; Ballot vote: 6-1; Opposed: Commissioner Bower; Second Reading and Public Hearing scheduled for September 26, 2002 at 5:01 p.m. R. Parcher to notice. Lilia Cardillo to place on the Commission Agenda. Fred Beckmann to handle.

The Administration is to prepare an LTC describing the differences between the contracted waste haulers for business, condominiums, etc. and the services provided by the City. Fred Beckmann to handle.

City Clerk's Note: Residential waste pickup and collection; BFI current provider has an escalator in the contract. The increase of .65 cents per month.

1:54:18 p.m.

R5E An Ordinance Amending Section 30-3 Of The Miami Beach City Code Entitled "Definitions" To Provide A Definition For Assessed Value; Amending Section 30-74(d) Entitled "Fine" To Provide A Maximum Total Fine For Single Family Homes And Commercial Properties; Amending Section 30-76(b) Entitled "Rehearings/Mitigation" To Provide For Limits On Settlement Agreements Regarding Special Master Fines; Providing For A Repealer, Severability, Codification And An Effective Date. **First Reading.**
(Neighborhood Services)

ACTION: Discussion held. No action taken. The Administration is to develop the necessary procedures.

Commissioner Gross made a motion to approve the ordinance on first reading with the cap for the fines but remove the mitigation language. Discussion continued. No second offered.

Vice-Mayor Steinberg made a motion to remove the \$250,000 cap, keep the 15% of appraised value cap, and by resolution include a six-month trigger to the Legal Department and jurisdiction language; seconded by Commissioner Cruz. No vote taken.

Discussion continued.

Mayor Dermer stated that he believes the Administration and the Legal Department need to work out a policy. He requested an LTC from the Administration outlining what can be done to streamline the process between the Administration and the Legal Department. **AI Childress to handle.**

Vice-Mayor Steinberg withdrew his motion.

2:50:09 p.m.

R5F An Ordinance Amending Ordinance No. 93-2881, Which Created The Normandy Shores Local Government Neighborhood Improvement District ("District"), By Amending Section 4 Thereof By Removing The \$500 Annual Cap Per Parcel Of Property With Regard To The Levy Of Ad Valorem Taxes To Support The Implementation Of Improvements With Regard To The District; Providing For Repealer, Severability, And An Effective Date. **First Reading.**
(City Attorney's Office)

ACTION: Ordinance approved on First Reading. Motion made by Commissioner Smith; seconded by Commissioner Bower; Ballot vote: 6-0; Absent: Mayor Dermer. Second Reading and Public Hearing scheduled for September 25, 2002. R. Parcher to notice. Lilia Cardillo to place on the Commission Agenda. Legal Department to handle.

R6 - Commission Committee Reports

4:04:11 p.m.

R6A Verbal Report Of The Land Use And Development (LUDC) Committee Meeting Of September 9, 2002:
1) Placement Of Banners On Buildings Issue.

ACTION: Oral report given by Jorge Gomez, Planning Director. Report accepted. Motion made by Commissioner Gross to accept the report which refers the issue to the Planning Board; seconded by Commissioner Garcia; Voice vote: 6-0; Absent: Commissioner Bower. Jorge Gomez to place on the Planning Board agenda.

Jorge Gomez stated the issue before the LUDC was the discussion regarding the Miami Beach ad campaign and placing non-commercial banners on private property. The LUDC made a motion to refer to the Planning Board an ordinance allowing non-commercial banners related to the City of Miami Beach, not-for-profit organizations, or governmental activities to develop the type of criteria for the type of buildings that will be eligible to place banners on blank walls not obstructing architectural features. That an approval process be put into place allowing public comment. Limited number of buildings throughout the City displaying the banners at any one time and the length of time to display the banner will be for no more than three (3) months. The number of times a building will be eligible will be limited to four (4) times in one year. Also the Administration is to research controlling the profit motive.

Commissioner Gross stated that the Administration is to explore some kind of a waiver for governmental building. Jorge Gomez, Planning Director, stated that this issue will be done independent of the above action.

R7 - Resolutions

5:06:14 p.m.

R7A1 A Resolution Adopting: 1) The Tentative Ad Valorem Millage Of 7.299 Mills For General Operating Purposes, Which Is Ten And Six Tenths Percent (10.6%) Greater Than The "Rolled-Back" Rate Of 6.598 Mills; And 2) The Debt Service Millage Rate Of 1.023 Mills; Further Setting The Second Public Hearing To Consider The Millage Rate For Fiscal Year 2002/03, For 5:01 P.M., Thursday, September 26, 2002.
5:01 P.M. First Reading, Public Hearing.

(Finance Department)

ACTION: Title of the Resolution read into the record. First of two Public Hearings held.

Resolution No. 2002-24939 adopted. Motion made by Commissioner Smith; seconded by Commissioner Bower; Voice vote: 7-0. Second Reading and second Public Hearing scheduled for September 26, 2002 at 5:01 p.m. R. Parcher to notice. Lilia Cardillo to place on the Commission Agenda. Patricia Walker to handle.

Handout or reference materials:

1. Notice of Ad in Miami Herald
2. Balanced budget at July 31, 2002 Commission Meeting.

5:10:06 p.m.

R7A2 A Resolution Adopting Tentative Budgets For The General, Enterprise, And Internal Service Funds For Fiscal Year 2002/03 Subject To A Second Public Hearing Scheduled At 5:01 P.M., Thursday, September 26, 2002. **5:01 P.M. First Reading, Public Hearing.**

(Finance Department)

ACTION: Title of the Resolution read into the record. First of two Public Hearings held.

Resolution No. 2002-24940 adopted as amended. Motion made by Commissioner Gross to approve the budget on first reading and to refer the issue of the Fire Prevention Bureau fire inspectors to the Finance and Citywide Projects Committee; seconded by Commissioner Bower; Voice vote: 7-0. Second Reading and second Public Hearing scheduled for a Special Commission Meeting on September 26, 2002 at 5:01 p.m. R. Parcher to notice Special Commission Meeting. Budget Department to notice information required pursuant to State Statutes. Lilia Cardillo to place on the Commission Agenda. Patricia Walker to handle.

Jorge Gonzalez, City Manager, gave an overview of this year's budget process. He stated that by State requirement, the budget presented is a balanced budget. The budget presented to the City Commission on July 31, included nearly \$7.5 million worth of efficiencies, savings and reductions. Proposals for fee increases in Occupational Licenses, Certificate of Use, Inspections fees, sidewalk café fees, and parks fees were also presented. Based on meetings held, the Administration decided not to pursue fee increases as part of this budget process. By removing the fee increases the Administration needed to find an additional \$1.263 million. There was about \$285,000 worth of fee increases left in the budget (water and sewer, stormwater and garbage.). He recommended that the issues of the fees be referred to the Finance and Citywide Projects Committee for further discussions.

The \$1.263 million was found by exploring additional efficiencies. The budget presented today is again a balanced budget. This budget includes efficiencies, savings and reductions of nearly \$9 million dollars. In a budget of nearly \$150 million, this is a significant reduction. The budget assumes no increase in the millage rate and no increases in fees except for those mentioned previously. This budget is a prudent budget, and it is a responsible and sustainable budget. There are issues in this budget that create opportunities for further reductions and further savings. There are pieces of this budget that if not controlled now, will create more difficult decisions in the future.

The Finance and Citywide Project Committee directed the Administration to speak with the Fire Department union representatives to discuss the Fire Prevention Bureau. Relative to the Fire Prevention Bureau, included in this budget is a saving of nearly \$120,000, which compounds over time and will generate considerable savings over time. The facts are, by hiring non-sworn state certified fire inspectors, the applicant pool will probably be comprised on retired firefighters, instead of having highly trained, highly motivated, expert firefighters to conduct fire inspections, the City can save money to its tax payers. The firefighter can be moved to the frontline fire suppression service where the public's safety is really defended. Having those highly trained firefighters, with the experience, are a better investment for the public than bringing in young recruits who do not have the benefit of training, wisdom and practice in fighting fires.

This budget includes the necessary resources to fund the ordinance [2002-3351] regarding the minimum staffing. Every ladder truck will now have four (4) persons effective November 1. NFPA 1710 requires that the four (4) persons to be achieved 90% of the time by the year 2006. The City of Miami Beach is doing it 100% of the time by the year 2002.

The proposal to have non-sworn state certified fire inspectors has been in practice in South Florida for over 20 years. Fire Chief Jordan recommends this action based on his experience in two (2) different municipalities where non-sworn state certified fire inspectors were used in fire prevention. This recommendation will not adversely impact public safety and it is fiscally prudent.

Fire Chief Jordan stated that Miami Beach firefighters do an excellent job and demonstrate it daily. This proposal allows the Fire Department to address some issues in a tight budgetary period. The proposal will allow five (5) highly trained, firefighting EMT's and firefighting paramedics to be assigned to emergency response units where they can be better utilized to meet the City Commission mandate of a minimum of 44 persons on-duty each day. The five (5) firefighters will be replaced with non-sworn, state certified fire inspectors. He stated that he has been in the fire service for 37 years and has 29 years of

experience working for fire agencies that employ non-sworn, state certified fire inspectors. Miami-Dade County, Hialeah, Coral Gables, and Key Biscayne all use non-sworn state certified fire inspectors and have nothing but praise for them. This recommendation is not to diminish the services, but to enhance emergency response.

Jorge Gonzalez, City Manager, stated that there are eight (8) fire inspectors presently in the Bureau. The Administration is recommending replacing only five (5) with non-sworn state certified fire inspectors.

Jack Richardson, President of the Fire Fighters Union, spoke.

Steven Wood, CPA, spoke.

Jim Llewellyn, Vice President of the Fire Union, spoke.

Ira Baraz spoke.

Steven Kollin, Attorney, spoke.

Bea Kalstein spoke.

Deede Weithorn, Vice Chairperson of the Budget Advisory Committee spoke.

Larry Herrup, Chairman of the Budget Advisory Committee, spoke.

Jack Richardson, President of the Fire Fighters Union, gave his closing statement.

Commissioner Smith stated that the issue of the sworn fire fighters in the Fire Prevention Bureau must be discussed in the Finance and Citywide Project Committee meeting. This is a bad day to make this decision. He stated that the sidewalk café tax on Lincoln Road and Ocean Drive could be increased from \$10 to \$12.50 to compensate for the additional cost of leaving the sworn fire fighters in the Fire Prevention Bureau. The City Commissioner needs to look at the entire budget collectively. **Motion made by Commissioner Smith to refer this to the Finance and Citywide Projects Committee; seconded by Commissioner Cruz. No vote taken. Discussion continued.**

Commissioner Garcia stated to bring the entire Fire Department's budget to the Finance & Citywide Project Committee meeting to look for the money.

Motion made by Commissioner Gross to approve the budget on first reading and to refer the issue of the fire inspectors to the Finance and Citywide Projects Committee; seconded by Commissioner Bower; Voice vote: 7-0.

Jorge Gonzalez, City Manager, thanked the Union President, Jack Richardson, for keeping the discussion on factual issues. He also commended Fire Chief Jordan for being the utmost professional in preparing this budget and answering the questions today. He also thanked the finance and budget staffs of the various departments, the department directors, division directors, assistant managers, and the chief of staff. He specifically thanked the staff of the Finance and Budget office; Georgina Echert, Jose Cruz, Joe Reilly, Bill Gonzalez, Carmen Carlson and Sailyn Arce. He also thanked Patricia Walker, Chief Financial Officer, and her staff for making the process look easy by all the work she and staff does.

Handout or reference materials:

1. Notice of Ad in Miami Herald
2. Letter from Marilyn Joy Rigwan to The Honorable Mayor Dermer and City Commissioners and Jorge Gonzalez, City Manager, dated September 9, 2002, RE Civilianize Professional Fire Inspectors - Civilians using the shield of the Department
3. IAFF 1510 Recalculation of 27-year comparison with different pension contribution assumptions.

4. IAFF 1510 Review of Annual Budget Plans and Comprehensive Annual Financial Reports and other Documents.

5:06:44 p.m.

R7B A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Amending The Proposed Millage Of 0.801 Mills And Setting 1) The Amended Proposed General Operating Millage Rate Of 1.194 Mills For The Normandy Shores Local Government Neighborhood Improvement District; 2) The Calculated Rolled-Back Rate; And 3) The Revised Date, Time And Place Of The First Public Hearing To Consider The Operating Millage Rate And Budget For Fiscal Year (FY) 2002/03; Further Authorizing The City Manager To Transmit This Information To The Miami-Dade County Property Appraiser In The Form Required By Section 200.065, Florida Statutes.

- 1) The Amended Proposed Normandy Shores Local Government Neighborhood Improvement District Operating Millage Rate For FY 2002/03:

Amended General Operating Millage	1.194 Mills
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- 2) "Rolled-Back" Rate 0.839 Mills

- 3) The Revised Date For The First Public Hearing On The Proposed Normandy Shores Local Government Neighborhood Improvement District Operating Millage Rate And Tentative Budget For FY 2002/03 Shall Be Held On Monday, September 23, 2002 At 5:01 P.M., In The City Commission Chambers, City Hall, 1700 Convention Center Drive, Miami Beach, Florida.
(Finance Department)

ACTION: Title of the Resolution read into the record. First of two Public Hearings held.

Resolution No. 2002-24955 adopted. Motion made by Commissioner Gross to revise the First Public Hearing Date to September 23, 2002 at 5:01 p.m.; seconded by Commissioner Bower; Voice vote: 7-0. R. Parcher to notice Special Commission Meeting. Lilia Cardillo to place on agenda. Patricia Walker to handle.

Handout or reference materials:

1. Normandy Shores Millage.
2. Normandy Shores District.
3. Notice of Ad in Miami Herald

3:02:56 p.m.

R7C A Resolution Approving Award Of A Contract To Tran Construction, Inc., In The Amount Of \$2,669,000, Pursuant To Bid No. 54-01/02, For The Bayshore Golf Course Clubhouse, Restroom Shelters And Maintenance Yard Building, To Be Funded From A Previous Appropriation From The Gulf Breeze Loan Pool.

(Capital Improvement Projects)

ACTION: Resolution No. 2002-24974 adopted. Motion made by Commissioner Cruz, seconded by Commissioner Bower; Voice vote: 6-0; Absent: Mayor Dermer. Tim Hemstreet to handle.

Commissioner Gross asked for an overview of the cart barn and fence.

Tim Hemstreet stated that there should be enough money (or pretty close to enough money) to do the cart barn. It is under design and waiting for the bids to come in. He stated that he is not sure if there is enough funding to do the fence.

Handout or reference materials:

1. Letter from Jorge Gonzalez, City Manager, dated September 10, 2002 to Mr. Paul R Marsenison, PE from PRM Engineering, in reference to Bid Protest, regarding Bid No. 54-01/-02.

12:14:20 p.m.

R7D A Resolution Approving Amendments To The 1998 Concept Plan For The Parcel Known As SSDI North In Order To Allow For The Removal Of Townhomes And An Expanded Open Pedestrian Plaza Along Alton Road, And To Provide A Larger Stairway To Be Located Within The Baywalk Setback Area Which Connects The Pedestrian Plaza To The Baywalk; And Providing An Effective Date.

(Planning Department)

ACTION: Resolution No. 2002-24975 adopted. Motion made by Commissioner Bower, seconded by Commissioner Garcia; Voice vote: 7-0. Jorge Gomez to handle.

Presentation given by Mr. Cliff Schulman, Esq., Greenberg Traurig, et al.

Handout and reference materials:

1. Site Plan (The Related Group) for the Murano Grande phase II Project

11:55:40 a.m.

R7E A Resolution Setting A Public Hearing To Consider Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142, "Zoning Districts And Regulations" Article II, "District Regulations" District 18, "Performance Standard District," By Amending Section 142-697 "Residential Performance Standard Area Requirements" Amending The Maximum Building Height In The R-PS4 Zoning District For Lots Wider Than 50 Feet, To Make The Height Limits Compatible With Contributing Buildings; Amending Section 142-697 "Setback Requirements In The R-PS1, 2, 3, 4 Districts" To Provide For Additions To Follow The Existing Building Line.
(Planning Department)

ACTION: Resolution No. 2002-24976 adopted. Motion made by Commissioner Gross to schedule the Public Hearing for October 23, 2002 at 5:15 p.m. and the advertisement to be flexible enough to allow the height to be changed; seconded by Commissioner Bower; Voice vote 7-0. R. Parcher to notice. Lilia Cardillo to place on the agenda. Jorge Gomez to handle.

Mr. Carter McDowell, Esq. spoke.

Mr. Jeffrey Bercow, Esq. spoke.

R9 - New Business and Commission Requests

R9A Board and Committee Appointments.
(City Clerk's Office)

Direct appointments made:

Barrier Free Environmental Committee:

Michael Brennan	Term expires	12/31/02	Appointed by Commissioner Garcia.
Michael Lantz	Term expires	12/31/02	Appointed by Commissioner Gross.

Beautification Committee:

Norma Weinstein	Term expires	12/31/03	Appointed by Commissioner Gross.
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Committee for Quality Education in Miami Beach:

Jennifer Jones	Term expires	12/31/03	Appointed by Commissioner Smith.
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Public Safety Advisory Committee:

Mark Weithorn	Term expires	12/31/02	Appointed by Commissioner Gross.
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City Commission Appointment made:**3:58:51 p.m.**

R9A1 Discussion Regarding Nominating Mr. Michael C. Gongora To The Design Review Board.
(Requested By Commissioner Luis R. Garcia, Jr.)

Design Review Board:

Michael C. Gongora At-large Term expires 12/31/03 Appointed by City Commission.

ACTION: Discussion held. Motion made by Commissioner Garcia to appoint Mr. Michael C. Gongora to the Design Review Board (at-large); seconded by Vice-Mayor Steinberg; Voice vote: 6-0; Absent: Commissioner Bower. R. Parcher to handle.

4:01:56 p.m.

Miami Beach Cultural Arts Council: The Council needs to send the Administration a slate of candidates. **R. Parcher to notify Grisette Roque.**

4:17:33 p.m.**Health Facilities Authority Board:**

Lawrence Fuller Attorney Term expires 12/31/05 Appointed by City Commission.

Commissioner Gross nominated Mr. Lawrence Fuller to the Health Facilities Authority Board; seconded by Vice-Mayor Steinberg; Voice Vote: 7-0.

4:16:41 p.m.

Normandy Shores Local Government Neighborhood Improvement Committee
Motion made by Commissioner Smith to appoint Dick Yousoufian, Michael Schwartz and Raquel Fuentes; seconded by Commissioner Gross; Voice vote 7-0. R. Parcher to handle.

R9B(1) Dr. Stanley Sutnick Citizen's Forum. (1:30 p.m.)

ACTION:

Bunny Patchen stated that she is upset by the action the Commission took on the Ordinance in reference to waterfront properties. She feels all waterfront residents should be notified that the meeting was being continued.

R9B(2) Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)

ACTION: Not reached.

4:06:39 p.m.

R9C Discussion Regarding Boat Anchorage In Miami Beach Waterways.
(Requested By Vice-Mayor Richard L. Steinberg)

ACTION: Discussion held. Item referred to the Marine Authority. Motion made by Vice-Mayor Steinberg; seconded by Commissioner Smith; Voice vote: 6-0; Absent: Commissioner Bower. Eric Wardle to handle.

Gary Held, First Assistant City Attorney, stated that the Marine Authority discussed live-aboards at yesterday's meeting and will again discuss it at their October meeting. The Administration and City Attorney's Office are investigating an ordinance addressing 1) Live-aboards when boats are docked and 2) live-aboards in City waterways. The Administration and City Attorney's Office believe the City has the right to regulate both, as long as the City does not interfere with the rights of navigation. The City Attorney's Office is checking with the State on the extent of State jurisdiction over this issue.

Vice-Mayor Steinberg's issue is to allow or not a boat to anchor whether there are people in it or not.

4:57:10 p.m.

R9D Discussion Regarding The Hours Of Operation Of Commercial Establishments Adjacent To Residential Neighborhoods.

(Requested By Commissioner Simon Cruz)

ACTION: Discussion Held.

Commissioner Cruz stated that he brought this item at the request of residents that live in the North Beach area adjacent to Publix. The residents of the condominium adjacent to Publix have been complaining that the trucks begin to line up at 4:00 a.m. to unload merchandise at Publix. The engines running, the fumes and the lights create a disturbance and these people are not able to enjoy their homes. Also, the garbage bin faces their property and the smell carries over. He also stated that he had gone by Publix and tried to meet with the general manager. He has also sent letters requesting that they meet with him and has not been successful.

Jorge Gonzalez, City Manager, stated that Vivian Guzman, Neighborhood Services Director, has been in contact with Publix. The City Manager's Office has tried to contact them and have not been successful either.

Commissioner Smith stated that he has related issues with this Publix also. He finds that this Publix is not neighbor friendly. His issues with Publix are regarding the homeless, aggressive panhandling, and shopping carts all over the neighborhood. He stated that he has tried to meet with Publix representatives and also has not been successful. He has left his business card, messages, but they are totally unresponsive. Something needs to be done because this is affecting other business and the residents in the area.

Vivian Guzman, Neighborhood Services Department Director, stated that her department received complaints about a year ago from the condominium behind Publix. They met with Mr. Finley, Manager, they did some things to alleviate the problem, but he stated that there was nothing he could do about the refrigeration trucks. The trucks have to continue to run or the food will spoil. She tried to work with Publix and have them change the delivery hours. Ms. Guzman thought the problems were resolved.

Commissioner Cruz request the Administration to try to work something out with Publix and advise them that the City will establish legislation controlling the hours of operations if necessary. Either they work something out that would work for him and his business, or the City will take into consideration the best interest of the area as a whole. **Vivian Guzman to handle.**

Commissioner Smith requested that Vivian Guzman also discuss the issues he raised.

3:49:43 p.m.

R9E Discussion Regarding The Council Tower North Parking Lot.
(Requested By Commissioner Simon Cruz)

ACTION: Discussion held.

Commissioner Cruz stated that the neighbors are requesting the designation of five parking spaces below the building for visitors. During the day employees park there and at night it becomes a flat rate parking lot.

Saul Frances, Parking Director, stated that after a discussion with the residents who are in agreement, that the City will set aside five parking spaces in the lot for visitor parking. The residents of the building will purchase an annual visitor's pass which will be honored by any visitor visiting the building at a maximum of twenty four hours a day. The lot is now used for lifeguard parking and is part of the CWA contract. He stated that he spoke with Joe Fisher, Vice President of CWA, and they are looking to relocate the parking for the employees. **Saul Frances and T. C. Adderly to handle.**

1:49:59 p.m.

SUPPLEMENTAL MATERIAL:

R9F A Resolution Opposing The Reduction In Funding For Beach Maintenance In The Proposed Miami-Dade County FY 2002/03 Budget.
(Requested By Mayor David Dermer)

ACTION: Discussion Held. Resolution No. 2002-24956 adopted. Motion made by Vice-Mayor Steinberg; seconded by Commissioner Bower; Voice vote: 7-0. R. Parcher to transmit the resolution to the Miami-Dade County Commission.

City Clerk's Note: Letter transmitted to the coastal mayors: Mayor Davis, Miami Shores, Mayor Diaz, Miami, Mayor Addicott, Golden Beach, Mayor Yaffe, Bay Harbor Island, Mayor Dorne, North Bay Village, Mayor Novack, Surfside, Mayor Berlin, Bal Harbour, Mayor Celestin, North Miami, Mayor Mishcon, North Miami Beach, Mayor Perlow, Aventura, Miami Beach Vice-Mayor Richard Steinberg and Commissioners Matti Herrera Bower, Simon Cruz, Luis R. Garcia, Saul Gross, and Jose Smith, Jorge Gonzalez, Miami Beach City Manager, and Michael Sittig, Executive Director, Florida League of Cities

1:52:03 p.m.

SUPPLEMENTAL MATERIAL:

R9G A Resolution Opposing The Increase Of 0.253 Mills In The Proposed Miami-Dade County Countywide Operating Millage.

(Requested By Mayor David Dermer)

ACTION: Discussion Held. Resolution No. 2002-24957 adopted. Motion made by Commissioner Cruz seconded by Commissioner Bower; Voice vote: 7-0. R. Parcher to transmit the resolution to the Miami-Dade County Commission.

Vice-Mayor Steinberg will bring before the League of Cities.

City Clerk's Note: Letter transmitted to Mayor Manuel Diaz, City of Miami, Mayor Raul Martinez, City of Hialeah, Mayor Donald Slesnick, II, City of Coral Gables, Mayor Joe Rasco, City of Key Biscayne, Miami Beach Vice-Mayor Richard Steinberg and Commissioners Matti Herrera Bower, Simon Cruz, Luis R. Garcia, Saul Gross, and Jose Smith, Jorge M. Gonzalez, Miami Beach City Manager, Michael Sittig, Executive Director, Florida League of Cities

R10 - City Attorney Reports

R10A Notice Of Closed Executive Session.

Pursuant To Section 286.011, Florida Statutes, A Closed Executive Session Will Be Held During Lunch Recess Of The City Commission Meeting On September 11, 2002 In The City Manager's Large Conference Room, Fourth Floor, City Hall, To Discuss Settlement On The Following Case:

PNM Corporation, A Florida Corporation, Vs. City Of Miami Beach. Circuit Court Of The Eleventh Judicial Circuit Of Florida, General Jurisdiction Division, Case No.99-22158 CA06

The Following Individuals Will Be In Attendance: Mayor David Dermer; Members Of The Commission: Matti Herrera Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith And Richard L. Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge M. Gonzalez, Deputy City Attorney Robert Dixon And Special Counsel Steve Siegfried.

ACTION: Announced and held.

Reports and Informational Items

A City Attorney's Status Report.

(City Attorney's Office)

ACTION: Written report submitted.

B Parking Status Report.

(Parking Department)

ACTION: Written report submitted.

C Status Report On The Rehabilitation Project Of The Existing Building And The Addition To Fire Station No. 2.

(Capital Improvement Projects)

ACTION: Written report submitted.

- D Status Report On The General Obligation Bond Funded Project For The Rehabilitation Of Fire Station No. 4.

(Capital Improvement Projects)

ACTION: Written report submitted.

- E Informational Report To The Mayor And City Commission, On All Existing City Contracts For Renewal Or Extensions In The Next 180 Days, Which By Their Terms Or Pursuant To Change Orders Exceed \$25,000.

(Procurement)

ACTION: Written report submitted.

- F Report On The Status Of The Expansion And Renovation Of The Bass Museum Of Art Project.
(Capital Improvement Projects)

ACTION: Written report submitted.

- G Status Report On Dialogue With RDP Royal Palm Crowne Plaza.
(City Manager's Office)

ACTION: Deferred.

End of Regular Agenda

**Commission Chambers, 3rd Floor, City Hall
1700 Convention Center Drive
September 11, 2002**

Chairman of the Board David Dermer
Member of the Board Matti Herrera Bower
Member of the Board Simon Cruz
Member of the Board Luis R. Garcia, Jr.
Member of the Board Saul Gross
Member of the Board Jose Smith
Member of the Board Richard L. Steinberg

Executive Director Jorge M. Gonzalez
Assistant Director Christina M. Cuervo
Assistant Director Mayra Diaz Buttacavoli
General Counsel Murray H. Dubbin
Secretary Robert E. Parcher

AGENDA

1. ROLL CALL

2. OLD BUSINESS

12:14:19 p.m.

- A Report Of The Itemized Revenues And Expenditures Of The Miami Beach Redevelopment Agency For The Month Of July 2002.

ACTION: Written report submitted. Motion made by Commissioner Bower; seconded by Commissioner Garcia; Voice-vote 7-0.

- B Anchor Shops And Parking - Monthly Report On Parking Operations, Month Of July 2002.

ACTION: Written report submitted. Motion made by Commissioner Bower; seconded by Commissioner Garcia; Voice-vote 7-0.

End of RDA Agenda

Meeting adjourned at 7:20:20 p.m.